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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,569	06/23/2003	Hirofumi Okano	2193-103	9621
23117	7590	07/13/2005	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			PHAN, THIEM D	
			ART UNIT	PAPER NUMBER
			3729	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/600,569

Applicant(s)

OKANO ET AL.

Examiner

Tim Phan

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 5-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/23/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### *Specifications*

1.

- On page 1, before “BACKGROUND OF THE INVENTION”, insert:

“CROSS REFERENCE TO RELATED DOCUMENT

The present application is a division of Application No. 09/987,330, filed on 11/14/01, now abandoned.”;

- The following title is suggested: “A Method of Making a Reed Switch”;
- The amendment to the Specification, filed on 6/23/03, for paragraph ? (unknown) on page 2 is confused and unclear. Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3729

3. Claims 5-7, 8/5, 8/6 and 8/7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakagawa (US 4,020,481) in view of Droscher et al (US 4,731,413) or vice versa.

**As applied to claim 5**, Nakagawa teaches a process of making an automobile part such as a fluid level alarm device with a bulb (Fig. 1, 11) of Reed Switch integrated for fit-sealing in a switch cylinder (Fig. 1, 7).

Droscher et al teach a process of molding high-molecular weight polyester with a resin at low temperature in the range of 150 to 300 degree C. and low pressure in the range of 1 to 100 bar (Col. 3, lines 57-62) for use in the automotive, electrical or electronic sector (Col. 4, lines 42 & 43) in order to have high toughness with a more economical fashion (Col. 4, lines 34-38).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the two teachings by applying the molding process, as taught by Droscher et al, to the integrated switch cylinder of Nakagawa's fluid level alarm device in order to produce high toughness sealed alarm device with a more economical fashion

**As applied to claim 6**, Nakagawa teaches a mounting member (Fig. 1, around 25) in the sealed body portion.

**As applied to claim 7**, Nakagawa teaches at least one annular groove (Fig. 1, around 25) in the sealed body portion.

As applied to claims 8/5, 8/6 or 8/7, Nakagawa teaches a buoyant float ring (Fig. 1, 8) surrounding said molded body portion for movement between raised and lowered conditions, wherein a magnet (Fig. 1, 10) carried by said float ring responsively causes said switch leads contained with the tubular bulb (Fig. 1, REED switch) to be moved between closed and open states so as to make and break contact with one another in response to movement of said float ring between said raised and lowered conditions.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim Phan whose telephone number is 571-272-4568. The examiner can normally be reached on M - F, 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

Art Unit: 3729

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tim Phan  
Examiner  
Art Unit 3729

tp  
July 11, 2005

A handwritten signature in black ink, appearing to read 'A. Dexter Tugbang', written in a cursive style.

**A. DEXTER TUGBANG**  
**PRIMARY EXAMINER**